

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

IN RE:

W.R. Grace & Co., *et al.*
Debtor(s)

Bankruptcy No. 01-1139-JKF
Chapter 11
Related to Doc. Nos. 26154, Memorandum
Opinion Regarding Objections to Confirmation of
First Amended Joint Plan of Reorganization and
Recommended Supplemental Findings of Fact and
Conclusions of Law; **26155**, Recommended
Findings of Fact, Conclusions of Law and Order
Regarding Confirmation of First Amended Joint
Plan of Reorganization as Modified Through
December 23, 2010

**ORDER CLARIFYING MEMORANDUM OPINION AND
ORDER CONFIRMING JOINT PLAN AS AMENDED
THROUGH DECEMBER 23, 2010¹**

AND NOW, this **15th** day of **February, 2011**, it is **ORDERED** that the following paragraph be and is hereby incorporated into the Order issued on January 31, 2011, at Doc. No. 26155 immediately preceding the recordation paragraph:

To the extent required under 28 U.S.C. §157(d), this Court hereby reports to the District Court and recommends that the District Court enter an order issuing and affirming this Confirmation

¹The Bankruptcy Court is cognizant that certain parties in interest filed Notices of Appeal (Doc Nos. 26257, 26259, and 26270) on the afternoon of February 14, 2011, indicating their intent to appeal this court's January 31, 2011, Memorandum Opinion and Order Confirming Joint Plan as Amended Through December 23, 2010, to the United States District Court for the District of Delaware, notwithstanding the Bankruptcy Court's stated intention, on the record on February 14, 2011, to issue this Order Clarifying Memorandum Opinion and Order. Pursuant to Fed. R. Civ. P. 60(a), made applicable to bankruptcy proceedings by Fed. R. Bankr. P. 9024, the court may court a mistake arising from oversight or omission on its own, without notice, *until an appeal has been docketed in the appellate court*. Fed. R. Civ. P. 60(a). At the time this court is entering this Order Clarifying Memorandum Opinion and Order, no appeal has been docketed in the District Court.

If the District Court determines that the appeal had been docketed at the time this Order is issued, we request leave *nunc pro tunc* to clarify the Memorandum Opinion and Confirmation Order by issuance of this Order.

Order, including, without limitation, the injunction pursuant to 11 U.S.C. §524(g)(3) in accordance with the terms of the Joint Plan and the attendant Plan documents and the recommended findings of fact, conclusions of law, and the Memorandum Opinion Overruling Objections to the First Amended Joint Plan.

It is **FURTHER ORDERED** that the caption of the Order at Doc. No. 26155 issued on January 31, 2011, is hereby amended to read “Order Confirming First Amended Joint Plan of Reorganization as Modified through December 23, 2010, and Recommending that the District Court Enter an Order Issuing and Affirming this Order and Adopting Recommended Findings of Fact and Conclusions of Law.”

It is **FURTHER ORDERED** that any reference in Doc. No. 26155 to a recommendation that the District Court confirm the Joint Plan as modified be amended to make clear that the Joint Plan as modified is confirmed and that this court requests that the District Court issue and affirm the Confirmation Order of January 31, 2011, at Doc. No. 25155 including, without limitation, the injunction pursuant to 11 U.S.C. §524(g)(3).

It is **FURTHER ORDERED** that the caption of Doc. No. 26154, filed January 31, 2011, is amended to read “Memorandum Opinion Regarding Objections to Confirmation of First Amended Joint Plan of Reorganization and Supplemental Findings of Fact and Conclusions of Law.”

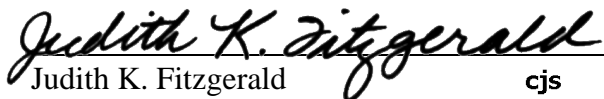
It is **FURTHER ORDERED** that any reference in Doc. No. 26154 to a recommendation that the District Court confirm the Joint Plan as modified through December 23, 2010, shall be amended to make clear that the Joint Plan as modified is confirmed and that this court requests that the District Court affirm the Findings and Conclusions entered by the Bankruptcy Court at Doc. No. 26154 on January 31, 2011, and issue and affirm the Confirmation Order of January 31, 2011, including, without limitation, the injunction pursuant to 11 U.S.C. §524(g)(3).

It is **FURTHER ORDERED** that the Request of Arrowpoint Capital Corp. for Technical Amendment to Item 32 on page 8 of Annex III of Doc. No. 26155, is **GRANTED** and the spelling of the name is hereby changed to Arrowpoint Capital Corp.

It is **FURTHER ORDERED** that the Clerk shall immediately transmit a copy of this Order to Honorable Ronald L. Buckwalter of the District Court for the Eastern District of Pennsylvania.

Date:

Dated: 2/15/2011
15:35:10


Judith K. Fitzgerald cjs
United States Bankruptcy Judge